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8 *Attorneys for Defendants*
9 *Optum Health Plan of California*
10 *and Monarch Healthcare,*
A Medical Group, Inc.

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 LISETH AGUIRRE,

14 Plaintiff,

15 v.

16 OPTUM HEALTH PLAN OF
CALIFORNIA, ET AL.,

17 Defendants.
18

Case No. 5:25-cv-01161-JGB (SPx)

**DEFENDANTS' NOTICE OF
MOTION AND MOTION TO
DISMISS PLAINTIFF'S
COMPLAINT**

[Filed Concurrently with Memorandum of Points and Authorities; [Proposed] Order Lodged Concurrently]

Date: August 18, 2025
Time: 9:00 a.m.
Judge: Jesus G. Bernal
Place: Riverside, Courtroom 1

22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 PLEASE TAKE NOTICE that on August 18, 2025, at 9:00 a.m., in the above-
24 captioned Court, located at the George E. Brown, Jr. Federal Building and United
25 States Courthouse, 3470 Twelfth Street Riverside, CA 92501-3801, Courtroom 1, the
26 named defendants in this case ("Defendants") will and do hereby move the Court to
27 dismiss the Complaint (the "Complaint") for failure to state a claim pursuant to
28 Rule 12(b)(6) of the Federal Rules of Civil Procedure.

1 All claims should be dismissed for failure to state a claim. All claims should
2 be dismissed in their entirety with prejudice.

3 This motion is made following the conference of counsel pursuant to Local
4 Rule 7-3 which took place on July 21, 2025. Plaintiff opposes the relief requested in
5 this motion.

6 This Motion is based on this Notice of Motion, the Memorandum of Points
7 and Authorities, any evidence or argument presented at the hearing, and all papers
8 on file with the Court.

9
10 Dated: July 21, 2025

TROUTMAN PEPPER LOCKE LLP

11
12 By: /s/ Jessamyn E. Vedro

13 Chad R. Fuller
14 Jessamyn E. Vedro

15 *Attorneys for Defendants Optum Health Plan of*
16 *California and Monarch Healthcare, A Medical*
17 *Group, Inc.*
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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2025, the foregoing ***DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFF'S COMPLAINT*** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

TROUTMAN PEPPER LOCKE LLP

By: /s/ Jessamyn E. Vedro

Chad R. Fuller

Jessamyn E. Vedro

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